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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/527,023

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Masaaki Togashi

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EXAMINER

DINKINS, ANTHONY

ART UNIT

PAPER NUMBER

2831

DATE MAILED: 11/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/527,023	Applicant(s) TOGASHI ET AL.	
	Examiner Anthony Dinkins	Art Unit 2831	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3/8/2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 9-14 is/are rejected.
- 7) ☒ Claim(s) 7 and 8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>0305</u> | 6) <input type="checkbox"/> Other: _____ |

Claim Objections

1. Claims 2, 4, and 8 are objected to because of the following informalities:

Claim 2, line 2, change "Wherein" to --wherein--.

Claim 4, line 2, change "Wherein" to --wherein--.

Claim 8, line 2, change "Wherein" to --wherein--.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. Claims 1, 5, and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the second internal conductor" in line 10. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the first internal conductor" in line 10. There is insufficient antecedent basis for this limitation in the claim.

Claim 5 recites the limitation "the mutually adjoining segmented conductors" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 10 recites the limitation "the second internal conductor" in line 9. There is insufficient antecedent basis for this limitation in the claim.

Claim 10 recites the limitation "the first internal conductor" in line 11. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7, 9, 10 are rejected under 35 U.S.C. 102(b) as best understood as being anticipated by Asakura et al. (5,815,367). Asakura et al. disclose a multilayer capacitor (see Fig. 1 and Fig. 6) wherein a plural number of internal conductors (4, 5, 6) are respectively disposed between dielectric sheets (2) in dielectric body formed by laminating a plural number of dielectric sheets wherein: the internal conductors (4, 5, 6) comprising: at least a pair of first internal conductors (4) respectively led out toward two facing surfaces of dielectric sheets (2), and at least a pair of second internal conductors (5, 6) respectively led out toward two facing side surfaces of the dielectric sheets (2) different from the two facing side surfaces where the first internal conductors (4) are led out, wherein the second internal conductor (5 or 6) is arranged between a pair of the first internal conductors (4) intervening the dielectric sheets (2), and the first internal conductor (4) is arranged between a pair of the second internal conductors (5, 6) intervening the dielectric sheets (2). Regarding claim 2, wherein the capacitor having; at least a pair of first terminal electrodes (38, 39) arranged at two facing side surfaces of the dielectric body and respectively connected to a pair of the first internal conductors (4), and a pair of second terminal electrodes (36, 37) arranged at two facing side surfaces of the dielectric body, different from the two facing side surfaces where the first

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internal conductors (4) are arranged, and respectively connected to a pair of the second internal conductors (5, 6). Regarding claim 3, wherein at least one of the first internal conductor (4) and the second internal conductor (5, 6) comprises a plural number of segmented conductors alternately led out toward two facing side surfaces of the dielectric body segmented in the way that the conductors extend in parallel form.

Regarding claim 4, wherein at least one of the first internal conductor (4) and the second internal conductor (5, 6) comprises a plural number of segmented conductors alternately led out toward two facing side surfaces of the dielectric body segmented in the way that the conductors extend in parallel form. Regarding claim 5, wherein the mutually adjoining segmented conductors (4-6) arranged in the same plane are respectively connected to the terminal electrodes (36-39) respectively arranged at two facing side surfaces. Regarding claim 9, wherein a planar shape of the segmented conductor is rectangular. Regarding claim 10, Asakura et al. disclose a multilayer capacitor (see Fig. 8) wherein a plural number of internal conductors (53, 54) are respectively disposed between dielectric sheets (52) in dielectric body formed by laminating a plural number of dielectric sheets wherein: the internal conductors (53, 54) comprising: at least a pair of first internal conductors (53) respectively led out toward two facing surfaces of dielectric sheets (52), and at least a pair of second internal conductors (54) respectively led out toward two facing side surfaces of the dielectric sheets (52) different from the two facing side surfaces where the first internal conductors (53) are led out, wherein the second internal conductor (54) is arranged between a pair of the first internal conductors (53) intervening the dielectric sheets (52),

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and the first internal conductor (53) is arranged between a pair of the second internal conductors (54) intervening the dielectric sheets (52), the first internal conductor (53) comprise a plural number of segmented conductors wherein the conductors are segmented to extend mutually in a row and are alternately led out toward two facing side surfaces of dielectric body, and the first internal conductors mutually adjoining in the laminated direction disposing the second internal conductor (54) in between are arranged to superpose upon each other when observed from planner view, the segmented conductors that superpose upon each other when observed from planner view are alternately led out toward the opposite directions. Regarding claim 11, wherein the second internal conductors are not segmented (see, Fig. 8). Regarding claim 12, wherein a plural pairs of the first terminal electrodes (58, 59) respectively connected to a plural number of segmented conductors and are respectively led out toward two facing side surfaces of the dielectric body, and a pair of second terminal electrodes (56, 56, 57) respectively connected to a pair of the second internal conductor and respectively led out toward two facing side surfaces of dielectric body different from two facing side surfaces where plural pairs of the first terminal electrodes (58, 59) are led out. Regarding claim 13, wherein the dielectric body is in a shape of a rectangular parallelepiped. Regarding claim 14, wherein the plural pairs of the first and second internal conductors (53, 54) are arranged in the laminated direction respectively in the dielectric body.

Allowable Subject Matter

4. Claims 7 and 8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Citation of Pertinent Prior Art

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Asakura et al.	5,815,367
Asakura et al.	5,894,401
Guertin	4,470,096
Togashi et al.	6,441,459
Kato et al.	5,099,387
Kaneko et al.	4,947,286

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Dinkins whose telephone number is (571) 272-1972. The examiner can normally be reached on 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on (571) 272-2800 ext. 31. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Anthony Dinkins
Primary Examiner
Art Unit 2831

AD

ANTHONY DINKINS
PRIMARY EXAMINER
